Case 2:19-cv-05286-JMA-AKT Document 5 Filed 10/18/19 Page 1 of 3 PageID #: 27

UNITED STATES DISTRICT COURT: EASTERN

COUNTY O)F 1
----------	------

·XXXXX OF NEW YORK

COUNTY OF	DISTRICT	:SFATE OF NE	W YORK		
	S On Behalf o arly Situated	of Himself and l,	Plaintiff(s)	Caseжжых №СV-1.952.86	
	agai	inst		Date Filed	
GULF2BAY SOF	TWASH CORP.,	et al.,	Defendant(s)		
STATE OF NEW	YORK, COUNT	Y OF SUFFOLK	SS:		
			PETER J. GUTHY,	, being duly sworn, deposes and says: that deponent is not a party to	
this action, is over 18	Byears of age and res	ides in New York State.			
	per 10, 2019			Avenue, Bay Shore, New York (1st. Floor)	
				aint and consent to joinder	
'		his individual		one of the defendant(s) therein named	
which summons indi		index number and date			
INDIVIDUAL 1. □	by delivering a true of	opy of each to said defe defendant th		ponent knew the person so served to be the person described as said	
CORPORATION 2. 🗆	personally, deponent		so served to be the c	orporation described in said summons as said defendant. true last name	
SUITABLE AGE PERSON 3. X I	a person of suitable a person of suitable within the st	age and discretion. Said ate.	premises is defenda	, co-worker, who refused to divulge her/ unt's—actual place of business— ህአህ አንድንድ አንድንድድ ጃ	
AFFIXING TO DOOR 4. []	by affixing a true copplace of abode—with thererat, having called	nin the state. Deponent v	said premises, which was unable, with due	n is defendant's—actual place of business—dwelling house—usual diligence to find defendant or a person of suitable age and discretion,	
	and confirming resid	ence of defendant with		a neighbor who also denied	
	at knowledge of defend	dant's place of employme	ent or work hours.	who also defined	
OTHER	-	copy of each to said defe		ereat personally with who is duly authorized to accept thereof	
5. 🗆				•	
MAILING TO RESIDENCE				y addressed to defendant at defendant's last known residence at and deposited said	
USE WITH 3 OR 4	envelope in an offici	al depository under the e	exclusive care and cu	ustody of the U.S. Postal Service within New York State.	
MAILING TO BUSINESS	On October Deponent enclosed business, at 129	16, 2019 a copy of same in a first Fifth Avenue	class postpaid enve , Bay Shore,	lope properly addressed to defendant at defendant's actual place of $NY = 11706$ in an official depository	
USE WITH 3 OR 4	under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney of concerned an action against the defendant.				
DESCRIPTION	Deponent describes	s person served as afore	said to the best of de	eponent's ability at the time and circumstances of services as follows:	
. (X)	Sexfemale	Color <u>white</u> Hair.	black Appox	. Age 40 Hgt 5-3 Wgt 125 Other	
MILITARY SERVICE X	whether defendant negative reply. Defendant belief are the conve	endant wore ordinary civersations and observation	vice of the United Sta vilian clothes and no s ns above narrated.	ates or of the State of New York in any capacity and received a military uniform. The source of my information and the grounds of my	
	Upon information aris defined in either t	nd belief I aver that the d he State or in the Federa	efendant is not in the al statues.	e military service of New York State or of the United States as the term	
Sworn before me or	n October 16	, 2019	,	PETER J. GUTHY	
		Don	na Ke	buffur PETER J. GUTHY	

DONNA KEMPNER Notary Public, State of New York No. 01KE5064837 Qualified in Suffolk County Commission Expires August '26, 2022

UNITED STATE EASTERN	19-cv-05286-JMA-AKT Docur S DISTRICT COURT: XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	•	i 10/18/19 P	age 2 of 3 Pag	eID #: 28
	S On Behalf of Himself and arly Situated,	Plaintiff(s)	f	% No CV-19 528	
GULF2BAY SOF	against TWASH CORP., et al.,	Defendant(s)	Date	e Filed . 09/17/19	
STATE OF NEW	YORK, COUNTY OF SUFFOLK	SS:			
		'ETER J. GUTHY, I	being duly sworn, de	eposes and says: that d	eponent is not a party to
	years of age and resides in New York State.				
	•		•	Shore, New Yor	
•	within summons in a civil action	and compla	int and cons		
_{upon} Gulf2Ba	y Softwash Corp., one of		the	defendar	t(s) therein named
which summons indic	cated on it's face the index number and date file				
INDIVIDUAL 1. □	by delivering a true copy of each to said defend defendant the		onent knew the pers		
CORPORATION 2. 🛣	a domestic corporation by delivering a true coppersonally, deponent knew said corporation so	y of each to Amy served to be the co	"Smith", Ma	anaging Agent,	llge true last who refused defendant
SUITABLE AGE PERSON 3. □	by delivering thereat a true copy of <i>each</i> to a person of suitable age and discretion. Said prabode—within the state.	emises is defendan	it's—actual place of t	ousiness—dwelling hous	se—usual place of
AFFIXING TO DOOR 4. □	by affixing a true copy of each to the door of sa place of abode—within the state. Deponent was thererat, having called thereon.	id premises, which i s unable, with due d	is defendant's—actual illigence to find defen	al place of business—dv Idant or a person of suit	welling house—usual able age and discretion,
	and confirming residence of defendant with				a neighbo
	at knowledge of defendant's place of employment	or work hours.			who also denie
OTHER 5. □	by delivering a true copy of each to said defend	lant by leaving there	eat personally with	who is duly aut	norized to accept thereo
MAILING TO	Deponent enclosed a copy of same in postpaid	l envelope properly	addressed to defend	lant at defendant's last k	nown residence at and deposited sai
RESIDENCE	envelope in an official depository under the exc	lusive care and cus	stody of the U.S. Post	tal Service within New Y	

name,

MAILING TO BUSINESS

Deponent enclosed a copy of same in a first class postpaid envelope properly addressed to defendant at defendant's actual place of in an official depository business, at

USE WITH 3 OR 4 under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

DESCRIPTION X

Deponent describes person served as aforesaid to the best of deponent's ability at the time and circumstances of services as follows:

female Color white Hair black Appox Age 40 Hgt 5-3 Wgt 125

MILITARY SERVICE

I asked the person spoken to

whether defendant was in active military service of the United States or of the State of New York in any capacity and received a negative reply. Defendant wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated.

Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as the term is defined in either the State or in the Federal statues.

Sworn before me on

October 16, 2019

PETER J. GUTHY

Case 2:19-cv-05286-JMA-AKT Document 5 Filed 10/18/19 Page 3 of 3 PageID #: 29

UNITED STATES DISTRICT COURT: EASTERN

XXXXXXXXXXXX	I
£ -,4-> £ -,4-> &-> £ -,4->	

:XXXXXXYXOF NEW YORK

KKYKYYYXXXX	DISTRICT	:STATE OF NEV	W YORK		
	S On Behalf of arly Situated,	Himself and	Plaintiff(s)		19.5286
	agains	rt .	>	Date Filed09./	17/19
GULF2BAY SOF	TWASH CORP., e	t al.,	Defendant(s)		
STATE OF NEW	YORK, COUNTY	OF SUFFOLK	SS:		
			PETER J. GUTHY, bei	ng duly sworn, deposes and sa	ys: that deponent is not a party to
this action, is over 18	years of age and reside	es in New York State.			
	er 10, 2019				ew York (1st. Floor)
deponent served the	within summons in	a civil actio	n and complai	nt and consent to	joinder
upon North A	American Chimn	ey & Gutter C	Corp., one of	the	defendant(s) therein named
which summons indic	cated on it's face the ind				
INDIVIDUAL. 1. □	by delivering a true copy	y of each to said defen defendant the			be the person described as said
	a <i>domestic</i> corporation personally, deponent kn	by delivering a true co ew said corporation so	py of each to Amy "o served to be the corpo	to d Smith", Managing A pration described in said summon	<pre>ivulge true last name, gent, who refused / ns as said defendant.</pre>
SUITABLE AGE PERSON 3. □	by delivering thereat a transpersion of suitable age abode—within the state.	and discretion. Said p	premises is defendant's	-actual place of business-dwe	elling houseusual place of
AFFIXING TO DOOR 4. □	by affixing a true copy of place of abode—within thererat, having called the	the state. Deponent wa	aid premises, which is c as unable, with due dilig	defendant's—actual place of bus ence to find defendant or a perso	inessdwelling house—usual on of suitable age and discretion,
	and confirming residence	ce of defendant with			a neighbor,
	at knowledge of defendan	t's place of employmer	nt or work hours.		who also denied
OTHER 5. 🗆	by delivering a true cop	y of each to said defen	ndant by leaving thereat	personally with who is	s duly authorized to accept thereof.
MAILING TO	Deponent enclosed a c	opy of same in postpai	id envelope properly ad	dressed to defendant at defenda	int's last known residence at and deposited said
RESIDENCE USE WITH 3 OR 4	envelope in an official d	lepository under the ex	clusive care and custo	dy of the U.S. Postal Service with	
MAILING TO BUSINESS	Deponent enclosed a c business, at	opy of same in a first o	class postpaid envelope	properly addressed to defendar	nt at defendant's actual place of in an official depository
USE WITH 3 OR 4	under the exclusive car Confidential" and did no concerned an action ag	ot indicate on the outsi	J.S. Postal Service withi de thereof, by return ad	n New York State. The envelope dress or otherwise, that the comr	bore the legend "Personal and munication was from an attorney or
DESCRIPTION					mstances of services as follows:
XX	Sex_female_Col	or_white_Hair_	black Appox. Age	<u>, 40</u> Hgt. 5−3 Wg	t. 125 Other
MILITARY SERVICE	I asked the person spoi whether defendant was negative reply. Defenda belief are the conversa	in active military servi ant wore ordinary civili	an clothes and no milita	or of the State of New York in ar ary uniform. The source of my in	ny capacity and received a formation and the grounds of my
	Upon information and to is defined in either the	pelief I aver that the def State or in the Federal	fendant is not in the mili statues.	tary service of New York State o	r of the United States as the term
Sworn before me on	October 16,	2019	n Kerrys	1.1.	PETER J. GUTHY
		Mon	a comp		

DONNA KEMPNER Notary Public, State of New York No. 01KE5064837 Qualified in Suffolk County Commission Expires August '26. 2022